



S. Pan

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Martin Terence Cole
FOR : IMPROVEMENT(S) RELATED TO
PARTICLE MONITORS AND
METHOD(S) THEREFOR
SERIAL NO. : 10/576,642
FILED : April 21, 2006
EXAMINER : Not yet known
ART UNIT : Not yet known
CONFIRMATION NO. : 2388
ATTORNEY DOCKET NO. : SM9305PCT(US)

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached form PTO-1449. The required copy of each document is enclosed *except for* documents previously cited by or submitted to the Office in a prior application(s) relied upon for an earlier filing date under 35 U.S.C. 120, said prior application(s) identified below:

Serial No.

Filing Date

2. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

3. Pursuant to 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited in this Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

4. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- ☐ Copy of each English language version of a search report by a foreign patent office in a counterpart foreign application, indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- ☐ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents."
- ☐ English-language abstract.

(X) 5. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed:

- ☐ concurrently with the filing of the national application; or
- ☐ within 3 months of the filing date of a national application or
- ☐ within 3 months of the date of the entry of the national stage as set forth in 37 CFR 1.491 in an international application; or

(X) before the mailing date of a first Office Action on the merits.

{NOTE: Statements filed within the foregoing periods require neither a fee nor a Certification}

☐ 6. Pursuant to 37 C.F.R. 1.97(c) this Statement is being filed *after* the mailing date of a first Office Action on the merits but *before* the mailing date of either: a Final Office Action under 37 C.F.R. 1.113 or a Notice of Allowance under 37 C.F.R. 1.311, whichever occurs first. Accordingly, this Statement is accompanied by:

- ☐ Certification as specified in 37 C.F.R. 1.97(e); OR
- ☐ The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is Form PTO-2038 authorizing the amount of \$180 to be charged to our credit card to cover the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

☐ 7. Pursuant to 37 C.F.R. 1.97(d) this Statement is being filed *after* the period specified in 37 C.F.R. 1.97(c), but *before or concurrent with* payment of the Issue Fee. Accordingly, this Statement is accompanied by:

- A. Certification as specified in 37 C.F.R. 1.97(e); AND
- B. The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is Form PTO-2038 authorizing the amount of \$180 to be charged to our credit card to cover the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

- 0 8. Statement filed *after* payment of Issue Fee, but *before* patent grant:

This Statement is being filed *after* payment of the Issue Fee, but *before* grant of the patent; accordingly it is understood that this Statement will *not* be considered. However, it is respectfully requested that this Information Disclosure Statement be placed in the application file. {NOTE: no fees or certification required}

- 0 9. CERTIFICATION under 37 C.F.R. 1.97 (e) (if applicable):

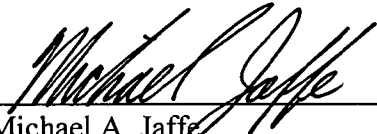
() The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Information Disclosure Statement.OR

() The undersigned hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any additional fees required for consideration of this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0537, identifying our Docket No. SM9305PCT(US).

Respectfully submitted,

Date: July 27, 2006

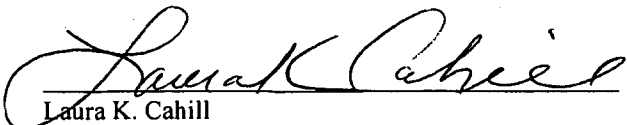

Michael A. Jaffe
Registration No. 36,326

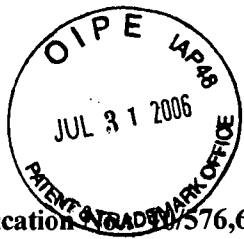
Kusner & Jaffe
Highland Place – Suite 310
6151 Wilson Mills Road
Highland Heights, Ohio 44143
440-684-1090 (phone)
440-684-1095 (fax)

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: July 27, 2006


Laura K. Cahill



Form PTO-1449

U.S. Patent Application No. 10/576,642

Attorney Docket No.: SM9305PCT(US)

IDS Filed: July 27, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

In re application of: Martin Terence Cole

Confirmation No.: 2388

Serial No: 10/576,642

Group No.: Not Yet Known

Filed: April 21, 2006

Examiner: Not Yet Known

For: IMPROVEMENT(S) RELATED TO PARTICLE MONITORS
AND METHOD(S) THEREFOR

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

U.S. Patent Documents

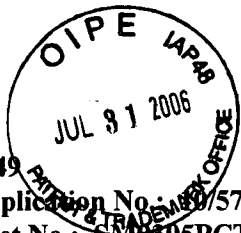
Examiner Initials	Document Number	Date	Name	Class
/M.S./	US 3,616,410	10/26/1971	Shtoffer	204/195
	US 3,982,130	09/21/1976	Trumble	250/373
	US 4,288,790	09/08/1981	Schnell	340/628
	US 4,379,290	04/05/1983	Muggli et al.	340/629
	US 4,426,640	01/17/1984	Becconsall et al.	340/632
	US 4,854,705	08/08/1989	Bachalo	356/336
	US 4,906,978	03/06/1990	Best et al.	340/630
	US 5,104,221	04/14/1992	Bott et al.	356/336
	US 5,372,477	12/13/1994	Cole	415/218.1
/M.S./	US 5,440,145	08/08/1995	Cole	250/574

Form PTO-1449

U.S. Patent Application No.: 09/576,642

Attorney Docket No.: SM9505PCT(US)

IDS Filed: July 27, 2006



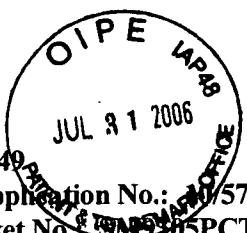
U.S. Patent Documents

Examiner Initials	Document Number	Date	Name	Class
/M.S./	US 5,502,434	03/26/1996	Minowa et al.	340/630
	US 5,576,697	11/19/1996	Nagashima et al.	360/630
	US 5,665,925	09/09/1997	Gerteis	73/865
	US 5,755,250	05/26/1998	Cole	137/78.5
	US 5,841,534	11/24/1998	Lorenz	356/336
	US 6,184,537	02/06/2001	Knox et al.	250/574
/M.S./	US2002/0101345	08/01/2002	Pattok et al.	340/516

Foreign Patent Documents

Examiner Initials	Document Number	Country	Date of Publication	Class	Translation (Yes/No)
/M.S./	WO 00/07161	WIPO	02/10/2000	G08B 17/107	Yes
	GB 1 527 965	United Kingdom	10/11/1978	G01J 5/10	Yes
	GB 2 193 570	United Kingdom	02/10/1988	G01N 15/14	Yes
	GB 2 319 604	United Kingdom	05/27/1998	G08B 17/103	Yes
	GB 2 267 963	United Kingdom	12/22/1993	G08B 17/103	Yes
	GB 2 273 769	United Kingdom	06/29/1994	G08B 17/107	Yes
	GB 2 319 605	United Kingdom	05/27/1998	G08B 17/103	Yes
	EP 0 076 338	Europe	04/13/1983	G01N 21/53	Yes
	EP 0 462 642	Europe	12/27/1991	G08B 17/107	Yes
/M.S./	EP 0 463 795	Europe	01/02/1992	G08B 17/107	Yes

Form PTO-1449
 U.S. Patent Application No.: 10/576,642
 Attorney Docket No.: 10536SPCT(US)
 IDS Filed: July 27, 2006



Foreign Patent Documents

Examiner Initials	Document Number	Country	Date of Publication	Class	Translation (Yes/No)
/M.S./	AU 573243	Australia	06/02/1988	G08B 017/10	Yes
	AU 573594	Australia	06/16/1988	G02B 017/10	Yes
	AU 575845	Australia	08/11/1988	G02B 005/02	Yes
	AU 576361	Australia	08/25/1988	G01P 005/08	Yes
	AU 577538	Australia	09/29/1988	G02B 017/10	Yes
	AU 577551	Australia	09/29/1988	G02J 001/44	Yes
	AU 663758	Australia	10/19/1995	G01N 015/06	Yes
	AU 80708/91	Austrailia	01/07/1992	F04D 29/28	Yes – Abstract Corresponds to US 5,372,477
	AU 27746/92	Australia	05/21/1993	G01N 21/53	Yes – Abstract Corresponds to US 5,440,145
	AU 40504/93	Australia	12/13/1993	G01N 21/53	Yes – Abstract Corresponds to US 5,755,250
/M.S./	AU 40503/93	Australia	12/13/1993	G01N 21/53	Yes – Abstract Corresponds to US 5,665,925

Form PTO-1449

U.S. Patent Application No.: 10/576,642

Attorney Docket No.: SM9305PCT(US)

IDS Filed: July 27, 2006

Other Documents (Inc. Author, Title, Date, Pertinent Pages, Etc.)

Examiner

Initials

Document

/M.S./

D. S. Goodman, "Method for Localizing Light-Scattered Particles," IBM Technical Disclosure Bulletin, Vol. 27, No. 5, October 1984, pp. 3164.

/M.S./

European Search Report for European Patent Application No. 01 903 514.6, 03/17/2006.

Examiner:

Date Considered:

/Michael Stafira/

07/28/2008

****Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.**